

Appl. No. 09/739,929  
Amendment dated June 1, 2004  
Reply to Office Action of March 2, 2004

### REMARKS

#### Claim Rejections – 35 U.S.C. § 112

The Examiner has rejected claims 1-4 and 7-9 under 35 USC 112, first paragraph, as failing to comply with the written description requirement. The claims have been amended to overcome this rejection. Specifically, claim 1 has been amended to replace “substrate” with “dielectric layer” and claims 2 and 3 have been amended to specify a “copper diffusion barrier” as described in the specification at page 8 lines 12 – 14.

#### Claim Rejections – 35 U.S.C. § 102

The Examiner has rejected claims 1, 4 and 7-9 under 35 USC 102(e) as being anticipated by Besser et al. (U.S. Patent No. 6,689,689). The Applicant respectfully traverses. Besser does not teach or render obvious all of the elements of independent claim 1. In particular, Besser does not teach “forming a dopant layer comprising Al over the Cu layer.” In contrast, Besser teaches depositing a thin layer of at least one of the alloying elements selected from the group consisting of Sn, B, Ng, C, Pd, Co, Ni and Cd over the exposed upper surface of an unalloyed metal such as copper. Therefore, the Applicant respectfully submits that the independent claim 1 and the claims 4 and 7-9 that depend upon and incorporate the limitations of claim 1 are not taught or rendered obvious by Besser.

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If there are any additional charges, please charge Deposit Account No. 02-2666.

Respectfully submitted,

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